



**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

MARY B. O'RILEY, et al., )  
)  
Plaintiffs, )  
)  
vs. )  
)  
WALMART STORES, INC., et al., )  
)  
Defendants. )  
\_\_\_\_\_ )

3:11-CV-0232-LRH (VPC)

**MINUTES OF THE COURT**

August 22, 2011

PRESENT: THE HONORABLE VALERIE P. COOKE, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: LISA MANN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

**MINUTE ORDER IN CHAMBERS:**

Before the court are plaintiffs' applications to proceed *in forma pauperis* (#s 1, 2, 6, & 7). Both plaintiffs are unemployed and receiving unemployment benefits. *Id.* Neither plaintiff has money or other assets. *Id.*

IT IS THEREFORE ORDERED that the plaintiffs' requests to proceed *in forma pauperis* (#s 1, 2, 6, & 7) are **GRANTED**. The amended complaint has been filed (#10). The plaintiffs herein are permitted to maintain this action to conclusion without the necessity of prepayment of fees or costs or the giving of security therefor. This order granting *in forma pauperis* status shall not extend to the issuance of subpoenas at government expense.

IT IS FURTHER ORDERED that the Clerk of the Court shall issue summons to defendant(s) herein and deliver same to the U.S. Marshal for service. The clerk shall **SEND** plaintiff sufficient copies of the amended complaint (#10) and service of process forms (USM-285) for each defendant. Plaintiff shall have twenty (20) days in which to furnish the U.S. Marshal the required forms USM-285. Within twenty (20) days after receiving from the U.S. Marshal a copy of the USM-285 form showing whether service has been accomplished, plaintiff must file a notice with the court identifying which defendants were served and which were not served, if any. If plaintiff wishes to have service again attempted on any unserved defendant, then a motion must be filed with the Court identifying the unserved defendant(s) and specifying a more detailed name and/or address for said defendant, or whether some other manner of service should be attempted. Plaintiffs' motion to extend time to serve summons and complaint (#14) is **GRANTED**. Service must be accomplished within one hundred twenty (120) days of the date of this order.

IT IS FURTHER ORDERED that henceforth, plaintiff shall serve upon defendants or, if appearance has been entered by counsel, upon the attorney(s) a copy of every pleading, motion or other document submitted for consideration by the court. Plaintiff shall include with the original paper to be filed with the clerk of the court a certificate stating the date that a true and correct copy of the document was mailed to the defendants or counsel for defendants. The court may disregard any paper received by a District Judge or a Magistrate Judge which has not been filed with the clerk of the court, and any paper received by a District Judge, Magistrate Judge or Clerk of the Court which fails to include a certificate of service.

IT IS FURTHER ORDERED that plaintiffs' motion for court order authorizing use of the law library (#8) is **DENIED**. The law library in the Bruce R. Thompson United States Courthouse is only open to members of the bench and bar. Plaintiffs may use the Washoe County Law Library located at 75 Court Street, Reno, Nevada.

IT IS FURTHER ORDERED that plaintiffs' motion to file electronically (#9) is **GRANTED**; however, plaintiffs will do so at their expense.

IT IS FURTHER ORDERED that plaintiffs' request for a decision (#12) and request for serving summons (#13) are rendered **MOOT** by this order.

**IT IS SO ORDERED.**

LANCE S. WILSON, CLERK

By:                     /s/                      
Deputy Clerk